

207 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.2675 of 2020
DATE OF DECISION:10.02.2020

Anwar Khan

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR.JUSTICE LALIT BATRA

Present: Mr. Gaurav Sharma, Advocate for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab.

LALIT BATRA, J. (Oral)

Present petition under Section 438 Cr.P.C. is for grant of pre-arrest bail to petitioner-**Anwar Khan** in case F.I.R. No.128 dated 28.09.2019 under Sections 323, 324, 326, 341 and 506 IPC read with Section 34 IPC registered at Police Station Sherpur, District Sangrur.

Learned counsel for the petitioner *inter alia* contends that the allegations levelled in the FIR are totally concocted, false and frivolous and there is no iota of truth therein. He further submits that cross-version case has already been registered against the complainant party and it is yet to be established during the course of trial as to which party was aggressor one. He further urges that petitioner is ready to join investigation as and when called upon to do so by the Investigating Agency, thus, he may be extended concession of pre-arrest bail.

On the other hand, learned State counsel while opposing the cause of petitioner has vehemently urged that petitioner while armed with *kirpan*, a sharp edged weapon, inflicted injuries by means of that *kirpan*

on the right side of forehead as well as left side of head of injured-Darshan Singh. He further submits that injury on the right parietal region of head of injured-Darshan Singh has been declared grievous in nature and the said injury has been attributed to the petitioner. He further urges that in view of gravity of offence and nature of injury inflicted by petitioner and that too on the vital organ of injured-Darshan Singh, in this scenario, petitioner does not deserve the concession of pre-arrest bail.

I have heard learned counsel for the parties and have carefully gone through the record of the case.

Without commenting anything on the merits of the case, allegedly petitioner had given two blows of *kirpan* on the head of injured-Darshan Singh and the said injury on the vital organ has been declared grievous in nature.

In view of above, in case concession of pre-arrest bail is extended to petitioner, it would lead to lawlessness in the society. No extra-ordinary ground has been made out in favour of petitioner for his entitlement of pre-arrest bail.

As a sequel to above, instant petition for grant of pre-arrest bail moved by the petitioner is dismissed.

(LALIT BATRA)
JUDGE

10.02.2020

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Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No